

KEVIN V. RYAN (CSBN 118321)
United States Attorney

EUMI L. CHOI (WVBN 0722)
Chief, Criminal Division

MARK L. KROTOSKI (CSBN 138549)
Assistant United States Attorney

150 Almaden Avenue, Suite 900
San Jose, California 95113
Telephone: (408) 535-5035
FAX: (408) 535-5066

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 2/6/06

UNITED STATES OF AMERICA,
Plaintiff,
v.
DANIEL VAN HORN,
aka JW, aka gl0v3, aka sl4pp3r,
Defendant.

No. CR 05-00710-RMW

STIPULATION REQUESTING
CONTINUANCE OF SENTENCING
HEARING AND ORDER

It is hereby stipulated and agreed between defendant Daniel Van Horn, by and through his counsel of record, Ray Perini, Esq., and the United States, by and through Assistant United States Attorney Mark L. Krotoski, as follows:

1. This matter is presently set for a sentencing hearing on February 27, 2006 at 9:00 a.m.
 2. The defense requests further time to review and address sentencing issues. Additionally, defense counsel is presently preparing for and commences a four-week murder trial in New York starting March 1, 2006 and needs further time to prepare.
 3. The parties do not oppose this request for further time to prepare the Presentence Report.
- The probation officer has been advised of this request and does not oppose the continuance.

STIPULATION REQUESTING CONTINUANCE OF SENTENCING HEARING AND ORDER
CR05-00710-RMW

1 For the foregoing reasons, and that the ends of justice are served by continuing this case, the
2 parties stipulate and request to a continuance of the sentencing hearing from February 27, 2006 at
3 9:00 a.m. to May 8, 2006 at 9:00 a.m., or the next available date.

4 IT IS SO STIPULATED.

5 Dated: February 3, 2006

KEVIN V. RYAN
United States Attorney

6
7 /S/

8 MARK L. KROTOSKI
Assistant United States Attorney

9 Dated: February 3, 2006

10 /S/

11 RAYMOND G. PERINI
Attorney for Defendant

12 IT IS SO ORDERED.

13 Upon good cause shown, the sentencing hearing is continued from February 27, 2006 at 9:00
14 a.m. to May 8, 2006 at 9:00 a.m.

15 Dated: February 6, 2006

16 /s/ Ronald M. Whyte
17 RONALD M. WHYTE
United States District Judge

18
19 Distribute To:

20 Raymond G. Perini
21 Perini & Hoerger
22 1770 Motor Parkway, Ste 300
Hauppauge, NY 11749
23 FAX: 631-232-2344

24 Mark L. Krotoski
AUSA
25 150 Almaden Boulevard, Suite 900
San Jose, CA 95113

26 J.D. Woods
27 U.S. Probation Officer
28 280 South First Street
San Jose, CA 95113